

REMARKS

Applicants' agent wishes to thank the Examiner for the examination of the above-identified Application.

This response fully addresses the issues raised in the aforementioned Office Action. A detailed discussion of each issue is provided in the sections that follow.

Briefly, this response includes the following items:

1. A paragraph in the specification have been amended to delete a reference numeral.
2. A set of formal drawings have been submitted.
3. The objection to the drawings has been addressed.
4. A material designation has been clarified to not be a trademark.
5. Discrepancies between the listing of conflicting claims in this and the continuation application have been pointed out.
6. The rejections of claims have been addressed.

No new matter has been added in this response.

Amendment to the Specification

A paragraph in the specification has been amended to delete the reference numeral **130**, which was not used in the drawing figures and, therefore, is not properly recited in the text.

Drawings

Formal Drawings

The Examiner noted that the subject application was filed with informal drawings that are acceptable for examination, but that formal drawings will be required if allowance is granted. The formal drawings are now available and a set is included in this response. The Examiner is requested to enter these formal drawings and to use them for the examination.

Objection to Drawings

The Examiner objected to the drawings and stated that the reference characters "33" and "120" have both been used to indicate what appears to be the same structure. Applicants' agent respectfully submits that the usage of these two reference numerals is proper and requests further guidance from the Examiner if the following explanation does not suffice to clarify their usage.

The reference numeral **33** is used in the subject application to indicate the leg opening margin. This term is used throughout the specification in a way that is consistent with the dictionary definition of "margin" as "the outside limit and adjoining surface of something" (Merriam-Webster[®] Dictionary; underlining added for emphasis.) In fact, this term is defined this way on page 5 in the penultimate paragraph, where it is recited that "[t]he term "margin" refers herein to the outside limit and adjoining surface of a portion or element of the diaper". Therefore, rather than

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pointing at the exact edge of the leg opening, the area adjoining the edge is indicated by the leg opening margin 33 pointer lines in the drawings. The outer leg cuff is indicated in the drawings by the reference numeral 120 and, because it lies along or adjacent to the leg opening margin 33, its pointer lines indicate the same general area as the pointer lines indicating the leg opening margin. Each occurrence of the associated text in the specification clearly indicates which element in which figure is being described.

Accordingly, applicants' agent respectfully requests that the Examiner reconsider and withdraw the objection to the drawings.

Specification

The Examiner pointed out that it is not clear whether the material designation "BEX501" in the specification is a trademark. According to the U.S. P.T.O.'s Trademark Electronic Search System, this designation is not a live trademark.

Double Patenting

Conflicting Claims

The Examiner stated that particular claims in the subject application conflict with particular claims in the continuation application. However, applicants' agent respectfully notes that the listing of conflicting claims conflicts with the listing of conflicting claims in the Office Action received from the same Examiner in that continuation application, in that the cross-listings do not match. For example, in the Office Action in the subject application, Claims 1, 2, and 7 of the subject application are stated to conflict with Claim 1 of the continuation application. However, in the Office Action in the continuation application, Claims 1 through 4 of that application are stated to conflict with Claims 1, 2, 7, 23, 25, and 26 of the subject application.

In addition, applicants' agent does not understand how certain of the listed claims conflict. For example, although Claim 1 of the continuation application contains the limitations contained in Claim 1 of the subject application, it also contains additional limitations and so does not seem to conflict with Claim 1 of the subject application. It is similarly unclear how, for instance, Claims 2, 7, and 16 of the subject application conflict with claims of the continuation application.

Accordingly, applicants' agent respectfully requests that the Examiner clarify the listings and the nature of the conflicts between the claims of the subject application and the continuation application.

Statement Regarding Nonstatutory Double Patenting Rejection

Item 7 in the Office Action contains three form paragraphs regarding nonstatutory double patenting rejections. However, no such rejection is made in the Office Action. Applicants' agent respectfully requests that the Examiner clarify the reason for the inclusion of this item.

Claim Rejections Under 35 U.S.C. § 102/103

The Examiner rejected Claims 1 through 3, 8 through 10, and 14 under 35 USC 102(b) and 35 USC 103(a) as being anticipated by/unpatentable over U.S. Patent 4,690,681 to Haunschild *et al.*

The Examiner stated that Haunschild *et al.* disclose a pre-closed absorbent article comprising the claimed elements. In particular, the Examiner stated that the cited reference discloses “that the unitary margin and cuff of the leg opening has an elastic extensibility of 35-100%”. The Examiner then stated that the reference discloses “the inner portion of the leg cuff having an extensibility of 5-25%, while the outer portion has an extensibility of 35-100% (col. 4, lines 55-61).” The Examiner then took “the position that the absorbent article of Haunschild *et al.* would operate effectively and maintain an elastic extensibility of at least 60%, when subject to a lateral spreading force of both more less than 5 kg, at its uppermost distal point of the leg openings, although not explicitly stated in the Haunschild *et al.* reference.”

Applicants’ agent respectfully traverses both of these rejections and avers that the Examiner has neither demonstrated that the cited reference teaches or discloses all the limitations of the rejected claims nor met the requirements of MPEP 2143 for the establishment of a *prima facie* case of obviousness.

Lack of Anticipation

Contrary to the Examiner’s first characterization of the Haunschild *et al.* reference’s disclosure, the reference does not teach or suggest that its leg opening margins have an elastic extensibility of 35% to 100%. In fact, the reference teaches nothing regarding the elastic extensibility of the circumference of the leg opening, the structural relationship of which to the leg opening margin is clearly described on page 6 in the second paragraph. Instead, Haunschild *et al.* merely disclose that some undefined portions of their leg elastics may have this extensibility.

Specifically, the Haunschild *et al.* reference describes the leg elastics and their extensibility in only a single paragraph in the entire specification. In this paragraph beginning in column 3 at line 43, the reference recites that “[t]he design of the elastic at the legs of the garment has been found to be particularly important...[it is] preferred that the garment legs be formed with the elastic provided with most of its travel in the outer leg portion of the legs” and that “[b]y providing the major portion of travel in the outer thigh portion and a minor portion on the inner thigh portion, there are less likely to be formed ridges in the crotch portion.” Apparently, the “legs of the garment” and the subsequently recited “legs” correspond to the leg openings of the present invention. However, the four terms “outer leg portion of the legs”, “outer thigh portion”, “inner thigh portion”, and “crotch portion” are left undefined and are not numbered or pointed out in any of the drawings. Also, none of these four “portions” is described structurally, i.e., no extent, dimension, or adjacency is mentioned.

Then, later in the same paragraph, in the text referenced by the Examiner, the reference recites that “[i]t is generally preferred that the inner portion of the leg elastic be provided with only the ability to stretch to increase by about 5 to about 25 percent of its contracted length to minimize ridge formation. The outer portion is generally provided with enough stretch to stretch to about 35 to about 100 percent longer than its contracted length.” (Underlining added for

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emphasis.) Neither of the terms “inner portion of the leg elastic” or “outer portion” is defined or numbered or pointed out in any of the drawings, and neither term is described structurally. Nor is there any correlation of either of these undefined terms to any of the four undefined terms recited above. Thus, the reader is left guessing as to what is disclosed. As a specific example, there is no description of the extent of the “inner portion of the leg elastic” or of the “outer portion”. Lacking any correlation of the first four undefined terms to these two undefined terms, it is unknown whether the “inner portion of the leg elastic” and the “outer portion” make up the entire circumference of the “legs” of the panty of the cited reference. If they do so, then what is the “crotch portion”? If they do so, in what proportions?

Furthermore, the structural relationship of the elastic and these four undefined “portions” is not described. For example, are the elastics attached only at discrete points and, thus, floating inside a tunnel in a drawstring-like structure, so that the extensibility of the elastic is independent of the extensibility of the adjacent material layers forming the leg opening margins? Or, are the elastics continuously attached, in which case the adjacent material layers would have to be fully as extensible as the elastics, themselves, in order to provide leg opening margins having the recited extensibility?

Therefore, the Haunschild *et al.* reference fails to teach or disclose the claimed “leg opening margins having an elastic extensibility of at least about 60 percent when the absorbent article is elastically extended laterally by a 5 kg lateral spreading force applied at an uppermost distal point of each of the leg opening margins” of the present invention. With regard to taking the position that the absorbent article of the reference would have the claimed characteristic although it is not explicitly stated in the reference, applicants’ agent respectfully refers to MPEP 2112 and points out that, in a rejection based on inherency, the burden is on the Examiner to show by clear and convincing evidence that the claimed functional or characteristic limitation necessarily flows from and/or is inevitably present in the teaching of the cited reference. In the present rejections, the Examiner has provided no evidence that the claimed limitation regarding the elastic extensibility of the leg opening margin flows from or is present in the disclosure of the Haunschild *et al.* reference.

Lack of Obviousness

According to MPEP 2143, to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations.

As noted above, the Haunschild *et al.* reference fails to teach or suggest all the claim limitations of Claim 1. In addition, applicants’ agent notes that the Examiner has proposed no modification of the reference teachings. Therefore, applicants’ agent is unable to address the other two requirements of MPEP 2143, except to note that the Examiner has not demonstrated that they are met, and to aver that it would be only with the application of impermissible hindsight, in light of applicants’ disclosure of their present invention, that one could form a mental picture in which Haunschild *et al.*’s “inner portion of the leg elastic” and “outer portion” form parts of a structure

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making up the entire circumference of the “legs” of the panty in the relative proportions necessary to provide the claimed elastic extensibility of the leg opening margins, and that this picture would have to be formed without any teaching or suggestion of such a structure from the reference’s disclosure, because it is not present there.

In summary, the Haunschild *et al.* reference does not teach each and every element of Claim 1 and, thus, does not anticipate the claimed invention. In addition, the Haunschild *et al.* reference neither teaches nor suggests all the limitations of Claim 1, nor provides suggestion or motivation to modify the reference to make the invention of Claim 1. Therefore, applicants’ agent respectfully submits that the Examiner has not met the requirements of MPEP § 2143 for the establishment of a *prima facie* case of obviousness with regard to Claim 1. Because Claims 2, 3, 8 through 10, and 14 depend from Claim 1, these failings apply to those dependent claims, as well.

Accordingly, applicants’ agent respectfully requests that the Examiner reconsider and withdraw the rejections of Claims 1 through 3, 8 through 10, and 14 under 35 USC 102(b) and 103(a).

Claim Rejections Under 35 U.S.C. § 103

First Rejection Under 35 USC 103

The Examiner rejected Claims 11 through 13 under 35 USC 103(a) as being unpatentable over the same Haunschild *et al.* reference cited in the above rejections. The Examiner stated that Haunschild *et al.* disclose an absorbent article as previously described, with a leg opening comprising two portions of differing elastic extensibility, but not three portions, and without specifying the orientation angle of the leg openings. The Examiner then stated that it would have been an obvious matter of design choice to substitute the disclosed two portions of differing elastic extensibility for three portions, in order to improve the ability of the absorbent article to stretch and conform to the wearer, and also that the orientation angle will vary with the size and shape of the wearer, including an angle of 30 degrees or less.

Applicants’ agent respectfully traverses the rejections on the ground that the Examiner has not met the requirements of MPEP § 2143 for the establishment of a *prima facie* case of obviousness.

According to MPEP 2143, to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations.

As noted above, the Haunschild *et al.* reference fails to teach or suggest all the limitations of Claim 1, from which the rejected claims depend. Also, as admitted by the Examiner, the reference fails to teach or suggest the three portions of the leg opening margin having differential elastic extensibility claimed in Claim 11 or the orientation angle claimed in Claim 13. In addition, the Examiner has provided no evidence of any suggestion or motivation to modify the reference, except a personal perspective formed with the benefit of impermissible hindsight after learning of the applicants’ invention.

Applicants' agent also respectfully points out that the proposal for a modification of the reference to make the present invention is reversely worded, i.e., substituting the two portions of the reference for the three portions of the present invention would make the present invention like the reference, rather than the opposite, which is what applicants' agent presumes the Examiner intended.

Accordingly, applicants' agent respectfully requests that the Examiner reconsider and withdraw the rejections under 35 USC 103(a) of Claims 11 through 13.

Second Rejection Under 35 USC 103

The Examiner rejected Claims 4 through 7 and 16 through 38 under 35 USC 103(a) as being unpatentable over the same Haunschild *et al.* reference cited in the above rejections, in view of PCT Publication WO 99/60971 to Ashton *et al.* Applicants' agent notes that the same Gregory Ashton is the first-named inventor in both the subject application and the cited PCT reference.

Applicants' agent respectfully traverses the rejections on the ground that the Examiner has not met the requirements of MPEP § 2143 for the establishment of a *prima facie* case of obviousness.

According to MPEP 2143, to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations.

Claims 4 through 7, 15, and 21

The Examiner listed only Claims 4 through 7 and 16 through 38 in the statement of rejection referenced above. However, in the first portion of the explanation immediately below that statement, Claims 4 through 7, 15, and 21 were listed. Based on the inclusion of Claim 15 in the listing of Claims "1-38", i.e., all of the pending claims, as being rejected in item 6 of the Office Action Summary (PTO-326) form, applicants' agent respectfully presumes that the Examiner intended to include Claim 15 in the statement of rejection and that its omission was inadvertent. The following argument is based on that presumption and, if it is incorrect, the Examiner is requested to clarify the status of Claim 15 and to provide an opportunity to respond on the corrected basis.

The Examiner stated that Haunschild *et al.* disclose the previously described absorbent article, but fail to teach whether the outer leg cuffs are wrapped over a portion of the side edge, are discrete, are made of a laminate, or have two ends which join to encircle the leg opening. The Examiner also stated that Ashton *et al.* disclose a disposable diaper which has a discrete leg cuff comprising an elastic gasketing cuff which is wrapped over a portion of the leg opening and having two ends which encircle the leg opening, and that Ashton *et al.* additionally discloses that many components of the diaper are made with a laminate.

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As noted above, the Haunschild *et al.* reference fails to teach or suggest all the limitations of Claim 1, from which Claims 4 through 7 and 21 depend. Since Claim 15 contains the same limitation regarding the elastic extensibility of the leg opening margins as in Claim 1, this reference likewise fails to teach or suggest all the limitations of Claim 15. Also, because the Ashton *et al.* PCT reference fails to teach the elastic extensibility of the leg opening margins, this reference likewise fails to teach or suggest all the limitations of Claim 1 or of Claim 15. Thus, taken singly or in combination, the cited references fail to teach or suggest all the limitations of Claims 1 and 15 and, thereby, of any of the rejected claims.

In addition, the Ashton *et al.* PCT reference does not teach or suggest the elements indicated by the Examiner. The term “discrete” is clearly defined in the subject application on page 9 in the third paragraph, where it is recited that “[t]he term “discrete” refers herein to an element of the diaper 20 which is formed separately and distinctly from any other element and is joined to another element or elements of the diaper 20, every component of the discrete element being wholly contained within the discrete element and no component of the discrete element being continuous with an element outside the discrete element. For example, a leg cuff formed of a portion of a continuous topsheet is not discrete, while a leg cuff formed of separate and distinct pieces and joined to a topsheet may be discrete. As another example, a composite structure including both an outer leg cuff and an inner leg cuff or a containment flap is not a discrete outer leg cuff.” Such a discrete outer leg cuff is not disclosed in the cited PCT reference. The wrapped outer leg cuff is clearly described in the subject application beginning on page 9 in the fourth paragraph, and is clearly shown in the figures. Such a wrapped outer leg cuff is not disclosed in the cited PCT reference. The outer leg cuff having its ends joined together to encircle the leg opening is clearly described in the subject application, including on page 8 in the second paragraph, and is clearly shown in the figures. Such an encircling outer leg cuff is not disclosed in the cited PCT reference.

In addition, the Examiner has provided no evidence of any suggestion or motivation to modify or to combine the references, except a personal perspective formed with the benefit of impermissible hindsight after learning of the applicants’ invention.

Additionally, applicants’ agent respectfully points out that the Examiner has provided no explanation of the rejection of Claim 21, which contains the limitation that the outer leg cuff is substantially straight, which structure is clearly different from the Examiner’s characterization of the leg cuff of Haunschild *et al.* as being curved.

Accordingly, applicants’ agent respectfully requests that the Examiner reconsider and withdraw the rejections under 35 USC 103(a) of Claims 4 through 7, 15, and 21.

Claims 16 through 20 and 22

The Examiner stated that Haunschild *et al.* disclose the previously described absorbent article, but do not specify that the absorbent article have a fastening system. The Examiner also stated that Ashton *et al.* disclose a disposable diaper with tear open tabs and seams, which permit repeated fastening and unfastening of the diaper.

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As noted above, the Haunschild *et al.* reference fails to teach or suggest all the claim limitations of Claim 1. Since Claim 16 contains the same limitation regarding the elastic extensibility of the leg opening margins as in Claim 1, this reference likewise fails to teach or suggest all the claim limitations of Claim 16, from which Claims 17 through 20 and 22 depend. Also, because the Ashton *et al.* PCT reference fails to teach the elastic extensibility of the leg opening margins, this reference likewise fails to teach or suggest all the limitations of Claim 1 or of Claim 16. Thus, taken singly or in combination, the cited references fail to teach or suggest all the limitations of Claims 1 and 16 and, thereby, of any of the rejected claims.

In addition, the Ashton *et al.* PCT reference does not teach or suggest the functionality indicated by the Examiner, nor does its diaper comprise a fastening system. The side seams are not fastenable, unfastenable, or refastenable, but instead are formed when the diaper is manufactured and remain closed until the tear open tabs are used to destructively open them for the removal of the diaper from the wearer.

In addition, the Examiner has provided no evidence of any suggestion or motivation to modify or combine the references, except a personal perspective formed with the benefit of impermissible hindsight after learning of the applicants' invention.

Furthermore, the modification of the Haunschild *et al.* panty proposed by the Examiner would make it unsuitable for its intended purpose. As recited in the Haunschild *et al.* reference, the disclosed article is designed to provide the benefits of looking like a panty (column 2, line 25) and conforming to the body like a panty (column 1, lines 52 and 53, 55, and 64; column 2, lines 23 through 25). Consistent with these objectives, the garment described in the text and depicted in the figures does not have side seams, but instead is formed as a panty, with stretchy side portions extending from the front central panel to the rear central panel, i.e., extending unbroken around the side from the front to the back of the panty. Thus, not only does the Haunschild *et al.* reference fail to teach or suggest the modification proposed by the Examiner, but it actually teaches away from the incorporation of any sort of side seam and, without a side seam, a fastening system as claimed in Claim 16 does not make sense.

Additionally, applicants' agent respectfully points out that the Examiner has provided no explanation of the rejections of Claims 17 through 20 or of Claim 22, which contains the limitation that the outer leg cuff is substantially straight, which structure is clearly different from the Examiner's characterization of the leg cuff of Haunschild *et al.* as being curved.

Accordingly, applicants' agent respectfully requests that the Examiner reconsider and withdraw the rejections under 35 USC 103(a) of Claims 16 through 20 and 22.

Claims 23 through 37

The Examiner stated that Haunschild *et al.* disclose the previously described absorbent article, but do not specify that the outer leg cuff is made of incrementally stretched laminate. The Examiner also stated that Ashton *et al.* disclose that incremental stretching methods are employed to make various components of the diaper, but do not specify that

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this method is used in the formation of the outer leg cuffs. In addition, the Examiner stated that Ashton et al. disclose that the cuff is folded with a free edge disposed adjacent to the inner surface of the containment assembly and that a portion of the outer cuff is continuous with the backsheet.

As noted above, the Haunschild *et al.* reference fails to teach or suggest all the claim limitations of Claim 1, from which Claims 23 through 26 depend. Since Claim 16 contains the same limitation regarding the elastic extensibility of the leg opening margins as in Claim 1, this reference likewise fails to teach or suggest all the claim limitations of Claim 16, from which Claims 27 through 30 depend. Also, because the Ashton *et al.* PCT reference fails to teach the elastic extensibility of the leg opening margins, this reference likewise fails to teach or suggest all the limitations of Claim 1 or of Claim 16. Thus, taken singly or in combination, the cited references fail to teach or suggest all the limitations of Claims 1 and 16 and, thereby, of any of Claims 23 through 30.

In addition, as admitted by the Examiner, neither of the cited references teaches the use of an incrementally stretched laminate for the outer leg cuffs. The Haunschild *et al.* reference fails to mention the use of incrementally stretched materials and, although the elasticized leg cuffs and the use of incrementally stretched materials in elasticized waistbands are described within a page of each other in the Ashton et al. PCT reference, the description of the elasticized leg cuffs clearly omits any mention of using incrementally stretched materials. Furthermore, the Ashton *et al.* PCT reference does not teach or suggest the elements indicated by the Examiner. The cuffs are not folded and there is no free edge disposed adjacent to the inner surface of the containment assembly.

In addition, the Examiner has provided no evidence of any suggestion or motivation to modify or combine the references, except a personal perspective formed with the benefit of impermissible hindsight after learning of the applicants' invention.

Additionally, applicants' agent respectfully points out that the Examiner has provided no explanation of the rejections of Claims 24, 28, 32, or 36, which contain the limitation that the outer leg cuff is wrapped over a side edge.

Accordingly, applicants' agent respectfully requests that the Examiner reconsider and withdraw the rejections under 35 USC 103(a) of Claims 23 through 37.

Claim 38

Although Claim 38 was included in the listing of Claims 4 through 7 and 16 through 38 in the statement of rejection, this claim was not listed in any of the sections of explanation following that statement of rejection. Accordingly, applicants' agent respectfully requests that the Examiner reconsider and withdraw the rejection under 35 USC 103(a) of Claims 38 or provide an explanation of the basis for its rejection and an opportunity to respond on that basis.

SUMMARY OF THIS RESPONSE

1. A paragraph in the specification have been amended to delete a reference numeral.

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2. A set of formal drawings have been submitted.
3. The objection to the drawings has been addressed.
4. A material designation has been clarified to not be a trademark.
5. Discrepancies between the listings of conflicting claims in this and the continuation application have been pointed out.
6. The rejections of claims have been addressed.

No new matter has been added in this response.

In light of the above remarks, applicants request that the Examiner reconsider and withdraw the rejections and allow the pending claims. The issuance of a Notice of Allowance at an early date is respectfully requested.

Respectfully submitted,

FOR: ASHTON ET AL.

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12 December 2002

Customer No. 27752

REPLACEMENT PARAGRAPH IN CLEAN FORM

SUBMITTED IN ACCORDANCE WITH 37 CFR 1.121(b)(1)(ii)
IN RESPONSE TO OFFICE ACTION OF 20 SEPTEMBER 2002

IN THE SPECIFICATION

Please delete and replace the paragraph beginning on page 8 and continuing onto page 9 of the application as filed with the following rewritten paragraph:

C1
The outer leg cuff 120 may be joined to the backsheet 26, the topsheet 24, to both the backsheet 26 and the topsheet 24, and/or to any other element of the diaper 20 by any attachment means known in the art which is suitable for the materials involved. For example, the attachment means may include any of those listed above in reference to the backsheet 26. The outer leg cuff 120 preferably is joined over at least the majority of at least one of its surfaces to another element of the diaper 20, such that only a minor edge or flap of the outer leg cuff 120 remains substantially free. In some embodiments, the outer leg cuff 120 preferably is joined over substantially the entirety of at least one of its surfaces to another element of the diaper 20, such that only a minimal edge or flap of the outer leg cuff 120 remains substantially free. For example, in some embodiments, the width of the free edge or flap may be about 5 mm or less, in some embodiments, the free width may be about 2 mm or less and, in some embodiments, the free width may be about 1 mm or less. The practical minimum width of the free edge or flap may be about 0.01 mm.

REPLACEMENT PARAGRAPH MARKED UP TO SHOW CHANGES

SUBMITTED IN ACCORDANCE WITH 37 CFR 1.121(b)(1)(iii)

IN RESPONSE TO OFFICE ACTION OF 20 SEPTEMBER 2002

IN THE SPECIFICATION

Marked up version of replacement paragraph beginning on page 8 and continuing onto page 9 of the application as filed:

The outer leg cuff 120 may be joined to the backsheet 26, the topsheet 24, to both the backsheet 26 and the topsheet 24, and/or to any other element of the diaper 20 by any attachment means known in the art which is suitable for the materials involved. For example, the attachment means may include any of those listed above in reference to the backsheet 26. The outer leg cuff 120 preferably is joined over at least the majority of at least one of its surfaces to another element of the diaper 20, such that only a minor edge [130] or flap of the outer leg cuff 120 remains substantially free. In some embodiments, the outer leg cuff 120 preferably is joined over substantially the entirety of at least one of its surfaces to another element of the diaper 20, such that only a minimal edge [130] or flap of the outer leg cuff 120 remains substantially free. For example, in some embodiments, the width of the free edge [130] or flap may be about 5 mm or less, in some embodiments, the free width may be about 2 mm or less and, in some embodiments, the free width may be about 1 mm or less. The practical minimum width of the free edge [130] or flap may be about 0.01 mm.